

%LAO 247 (02/08) Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT
for the

Northern District of Ohio

United States of America)
v.)
Leonard Bingham, Jr.) Case No: 3:93CR746
Date of Previous Judgment: December 14, 1994) USM No: 41892-060
(Use Date of Last Amended Judgment if Applicable)) FPD NDO
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 262 months is reduced to 210 as to Count 6.

1. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 35 Amended Offense Level: 33
Criminal History Category: V Criminal History Category: V
Previous Guideline Range: 262 to 327 months Amended Guideline Range: 210 to 262 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range,
- Other (explain):

III. ADDITIONAL COMMENTS

The term of imprisonment imposed on December 14, 1994 as to Count 12 and Count 13 shall remain in full force and effect.

Except as provided above, all provisions of the judgment dated 12/14/94 shall remain in effect.

IT IS SO ORDERED.

Order Date: 10/8/08

s/ James G. Carr

Judge's signature

Effective Date: _____
(if different from order date)

James G. Carr, Chief Judge

Printed name and title